

Chapter 13

Civil Rights

The Iowa DOT, transit systems and sub-providers may not discriminate in services provided, or in operations to provide those services. The state has the responsibility to ensure that transit systems receiving federal funding administered by OPT comply with civil rights requirements. Federal nondiscrimination statutes include:

1. [Americans with Disabilities Act of 1990 \(ADA\)](#) (42 U.S.C. Sections 12101 et seq.) and [Section 504 of the Rehabilitation Act of 1973](#), as amended, prohibit discrimination against individuals with disabilities in the provision of transportation service and employment opportunities;
2. [49 U.S.C. 5332](#), US DOT's Equal Employment Opportunity (EEO) regulations, prohibit discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
3. [Title VI of the Civil Rights Act of 1964](#), as amended, prohibits discrimination on the basis of race, color, and national origin in services provided with federal funding (age, sex and disabilities added through various amendments); and
4. US DOT's Disadvantaged Business Enterprise (DBE) regulations, [49 CFR Part 26](#), prohibit discrimination in contracting and assists socially and economically disadvantaged business concerns ensure an opportunity to bid on federal contracts.

As the grantee for Section 5310, 5311, and statewide JARC and 5309 programs, the Iowa DOT is required to document that its subrecipients comply with all of the civil rights requirements in conducting their transit programs. Joint participation agreements contain assurance clauses that transit agencies' sign verifying compliance.

In signing joint participation agreements, each 5310, 5311, statewide 5309, and statewide JARC sub-recipient provides the following assurance: *no person, on the grounds of race, color, creed, national origin, sex, age or disability be excluded from participation in, or denied the benefits of, or be subject to discrimination under any project, program or activity funded in whole or in part by the FTA. In addition, the joint participation agreement contains the assurance that the sub-recipient shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, or national origin.*

Each Section 5310 or 5311 transit system must file, on a one-time basis, a signed and dated standard DOT Title VI assurance and update it as necessary when changes occur. The certificate and three appendices are part of the grant application.

Annually Section 5310 and 5311 transit systems must submit a local civil rights assurance. This is submitted as part of the annual grant application certifying that:

- the transit system shall not discriminate on the grounds of race, color, creed, national origin, sex, age or disability when providing service funded with FTA funds.
- the transit system shall not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin, and

- shall take affirmative action to ensure that applicants and employees are not discriminated against during employment.
- The transit system shall make special efforts to provide transportation for persons with disabilities, and will comply with [49 CFR 27](#), Nondiscrimination on the Basis of Disability.
- The transit system has submitted the one time standard DOT Title VI Assurance.

Section 5310/5311 transit agencies are also required to report any civil rights complaints or pending lawsuits related to FTA funded activities and the outcome, as part of the annual funding application. All contracts with subproviders and other contractors must also include nondiscrimination clauses.

Title VI of the 1964 Civil Rights Act

[Title VI](#) of the [1964 Civil Rights Act, Section 601](#), states: *No person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.* The [Age Discrimination Acts of 1975](#) prohibited exclusion based on age, and [Title 23 USC 324](#) added that no person should be excluded from participation on the basis of sex. The [Civil Rights Restoration Act of 1987](#) reemphasized all of the anti-discrimination laws and the applicability to federal programs.

The Iowa DOT and direct FTA grant applicants must submit a [Title VI](#) program that addresses requirements enumerated in [FTA Circular 4702.1](#), Title VI Program Guidelines for Federal Transit Administration Recipients. First-time grant applicants, if located in areas with a population under 200,000, are only required to submit information relating to "General Reporting Requirements" of [FTA Circular 4702.1](#). This information relates to active lawsuits or complaints, pending grant applications with other Federal agencies, the submittal of the DOT [Title VI](#) and FTA civil rights assurances, and the impact of transit projects on minority communities. After an initial [Title VI](#) program has been approved, an update is required every three years.

Nondiscrimination requirements cover such areas as land acquisition and relocation of residences and businesses, impacts of construction, fixed guide-ways, placement of routes, vehicle assignments, transit amenities available such as bus shelters, headways, passenger loads, environmental considerations, public involvement, and multilingual communication.

If a grant applicant is planning the construction of a large FTA-assisted project such as a multi-modal transportation facility or a fixed guide-way light rail system, the applicant should be taking steps to ensure compliance with Title VI and [49 U.S.C. Section 5332](#) prior to submitting a grant application for assistance. Such steps should include: informing all communities of public hearings or meetings regarding such a project; providing an opportunity for interested persons to be considered for selection to decision making transit boards and advisory committees; and ensuring that input on a facility's accessibility and location will be obtained and decisions will be made without regard to race, color, creed, national origin, age, or sex.

[Executive Order 12898](#), Environmental Justice, directed federal agencies to assess the impact of programs and policies on minority populations and low-income populations. Limited English Proficiency (LEP) of a community or service area must

also be evaluated. If a significant portion of the community served are non-English speaking, it is the responsibility of the transit system to provide important information on services or public meetings, etc. in another language. Failure to provide information in the language of what has been determined as a significant portion of the community, could result in a Title VI finding of discrimination based on national origin.

Equal Employment Opportunity (EEO)

EEO requires all recipients of FTA funds to provide equal employment to all persons. The recipient shall take affirmative action to ensure that applicants are employed without regard to race, color, religion, sex or national origin.

A grantee with 50 or more employees that has received \$1 million or more in the previous federal fiscal year must submit an EEO program to FTA. The specific components of this program may be found in [FTA Circular 4704.1](#), *Equal Employment Opportunity Program Guidelines for Grant Recipients*. In this program, grantees implement steps to ensure equal opportunity for employees and job applicants, without regard to race, color, creed, national origin, sex, age, or disability. A major focus of this program is an analysis of the grantee's work force to identify job categories and levels of employment in which minorities and women are underrepresented. After identifying categories and levels, corrective action must be recommended and acted upon. After an original EEO program has been approved, an update must be submitted every three years. An organization contemplating submitting a grant application should ensure that its latest EEO program update remains current.

Americans with Disabilities (ADA)

The [Americans with Disabilities Act of 1990 \(ADA\)](#), (42 U.S.C. 12101 et seq. and [49 CFR parts 27, 37, and 38](#)) prohibits discrimination against qualified individuals with disabilities in all programs, activities, and services provided by public or private entities. It applies to all governmental and commercial entities. It extends coverage to all entities that provide passenger transportation, whether or not they receive federal financial assistance and whether or not they are open to the public. It establishes detailed standards for the operation of public transit systems. [Section 504](#) of the [Rehabilitation Act of 1973](#), as amended, ([29 U.S.C. Section 794](#)) prohibits discrimination on the basis of disability in employment and services by recipients of federal financial assistance. The sections of the federal code can be obtained on the FTA web site: http://www.fta.dot.gov/502_ENG_HTML.htm. ADA Assistance: Toll Free Telephone Line: 1-888-446-4511 ADA Assistance: E-mail: ada.assistance@fta.dot.gov

FTA funds may not be used to purchase vehicles that are not accessible by persons with disabilities, unless the vehicles are purchased for demand-responsive services and the transit system provides equivalent access to persons with disabilities when viewed service is viewed in its entirety. FTA requires self-certification by applicants that it meets the accessibility requirement. Sub-recipients of OPT must provide an analysis showing this is the case before non-accessible vehicles will be funded in a statewide grant.

Transit agencies and sub-contractors must meet the ADA service provision requirements found in [49 CFR Part 37](#). Systems with fixed-route services must comply with the ADA complementary paratransit requirement, assuring that their

paratransit service meets all comparability standards in the rule. Recipients of funding administered by OPT that change either their fixed-route services or their paratransit services shall notify the OPT and provide assurance that the paratransit service remains comparable. The OPT is responsible for verifying that subrecipients are in compliance.

Sub-recipients must establish a means of notifying participants, beneficiaries, applicants, employees (including vision and hearing impaired), unions, etc., that it does not discriminate on the basis of disability and is taking progressive steps to comply with [49 CFR 27](#).

Sub-recipients must keep on file for one year all complaints of non-compliance received. A record of such complaints must be kept for five years. An explanation of any such complaints and their resolution must be provided with each annual application for funding submitted to the OPT.

Basic Provisions – The purpose of ADA is to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities and to bring persons with disabilities into the economic and social mainstream of American life. The ADA covers a wide range of activities.

The ADA affects transportation providers in four significant ways.

1. The ADA accessible vehicle requirements pertain to vehicle acquisitions by both public and private entities for fixed route or demand responsive service.
2. The ADA contains accessibility requirements for the design and construction of new transportation facilities, alterations to existing facilities, and key stations on rail transit systems.
3. The ADA requires public entities providing fixed route service to provide complementary paratransit service to people with disabilities who cannot use fixed route service.
4. The ADA includes service requirements intended to ensure that people with disabilities are afforded equal opportunity to use transportation vehicles and facilities.

All transportation providers are prohibited from discriminating against individuals with disabilities. A person with disabilities may not be charged more for a trip than a person without disability would be charged for a similar trip.

All transit systems providing fixed route service must acquire accessible vehicles. This requirement applies to all vehicles being leased, rehabilitated or remanufactured.

Transit systems that only provide demand responsive service may purchase some non-ADA accessible vehicles if they can certify they provide equivalent service to individuals with disabilities.

A transit system may refuse service to someone who is violent and endangers others, or someone who is engaging in illegal conduct. A transit system may not

refuse service to someone because the individual's disability results in appearance, odor, or involuntary behavior that may offend or annoy others.

Standards for Accessible Vehicles – FTA standards for accessible vehicles are found in [49 CFR Part 38](#). Accessible vehicles must be equipped with a lift or ramp, and must offer mobility aid security systems. There must be a minimum of one securement location on vehicles under 22 feet in length, and a minimum of two securement locations on longer vehicles. Vehicles must also have a clear path from the accessible entrance to the securement location. (30" wide by 54" tall on vehicles under 22 feet and 30" wide by 68" tall on larger vehicles.) Additional standards involve lift/ramp door and engine or brake interlocks, slip resistance properties of the flooring, color contrast of the interior lighting and signage. Larger vehicles used for fixed-route service must have public address systems and separate stop request signaling systems for persons in the securement locations. The regulation also sets specific minimum standards for each lift or ramp and for the mobility aid securement system.

Paratransit Eligibility – An individual is eligible for paratransit service if:

- environmental barriers and the individual's disability prevent the individual from getting to or from a bus stop, boarding a fixed-route transit vehicle, or navigating the system;
- an individual applied for eligibility and 21 days from the submission of a complete application, the transit system has not acted on his or her application. Such eligibility is good until and unless the transit system denies the application. There is an administrative appeal process for denials.;
- The transit system may suspend paratransit service to someone for a reasonable period of time for a pattern or practice of missing scheduled trips. Administrative due process must be provided prior to a suspension.
- Paratransit service must be provided for 21 days to out-of-town visitors with disabilities.
- Residency must not be considered and transit systems must honor eligibility cards issued by other transit agencies.

Public transit systems are not limited to serving ADA eligible persons aboard their paratransit services. They can provide paratransit service to anyone they choose. However, only the cost of service to ADA eligible persons counts in the context of a request for an undue financial burden waiver.

Paratransit - Service Criteria

Service Area – Paratransit must serve origins and destinations within corridors 3/4 of a mile wide on each side of each scheduled bus route, including areas that may be outside the transit system's jurisdiction. Small areas surrounded by these corridors must also be served. The paratransit service area can be enlarged, such as covering all other areas within the city limits. For systems receiving 5311 funding, paratransit services in expanded areas must be open to the general public.

Response Time – When advance reservation scheduling is used, reservations must be accepted the prior day (including Sundays). Real time scheduling may be used. The transit system may negotiate pickup times with the individual, but cannot insist that a trip begin more than an hour from the individual's requested time.

Fares – Fares may not exceed twice the fare for a similar fixed route trip (not taking discounts into account). Companions are eligible for the same fare. Personal attendants or aides ride free.

Trip Purpose – There can be no restrictions on the purpose of the trip.

Capacity – Capacity constraints are prohibited, including restrictions on the number of trips an individual can use, waiting lists, and patterns or practices that significantly limit the availability of service (e.g., substantial numbers of trip denials, untimely trips, or excessively long trips).

Subscription service is permitted, and may involve trip purpose priorities and capacity constraints. However, subscription service may not absorb more than half the paratransit capacity available at any given time of day unless there is excess capacity on the system.

Paratransit service must be available throughout a fixed route service area, except in areas only served by commuter bus service.

Public transit systems are not limited to only providing service required by these criteria.

Service Provision Requirements – All transportation providers must maintain accessibility features and equipment and repair out-of-order equipment promptly.

Public transit systems must establish a system of regular and frequent checks of lifts. When a lift fails, the vehicle must be taken out of service and the lift repaired. However, if there is no spare vehicle available, the transit system can keep the vehicle in service for three days (larger transit systems) or five days (smaller transit systems) to prevent a reduction in service. Alternative accessible transportation must be provided if a vehicle is in service with an inoperative lift and the headway to the next accessible vehicle exceeds 30 minutes.

All transit systems must transport all persons using wheelchairs that do not exceed 30 inches in width, 48 inches in length or weigh more than 600 pounds when occupied. The transit system may require that the individual use the vehicle's securement devices, but cannot deny service because the securement system does not secure the wheelchair satisfactorily. Transfers to vehicle seats may be suggested, but not required.

Any passenger must be allowed to use lifts, even while standing, and must be allowed to face any direction.
Stops must be announced aboard fixed routes at major intersections and transfer points, or on request.

Transit systems may not refuse to let a passenger get off a vehicle using a lift at a stop, unless the lift will not deploy or could be damaged if used at that location.

Individuals who use a respirator or personal oxygen supply can travel with these devices, consistent with DOT hazardous materials rules.

Waiver to purchase non-accessible vehicles – The requirement to purchase only accessible vehicles may be waived for vehicles used for demand-responsive services, provided disabled persons have service equal to that offered other persons. The service for disabled persons must also be integrated with that for non-disabled persons to the maximum extent possible. Non-accessible vans and small buses may only be programmed for use in demand-responsive service when the system is able to certify that all of its services provide equivalent levels of service accessibility for disabled persons. In addition, any vehicle purchased without accessibility features must be readily convertible to wheelchair access. This will include purchase of a lift door on small buses.

Before any non-accessible equipped vehicle can be programmed for Section 5310/5311 or statewide JARC or 5309 recipients, an analysis of the demand-responsive service showing that it is equal in all seven areas listed below must be included as part of the funding application or as part of the TIP:

1. response time;
2. fares;
3. geographic area of service;
4. hours and days of service;
5. restrictions based on trip purpose;
6. availability of information and reservations capabilities; and
7. constraints on capacity or service availability.

The transit system must file a certification that this criteria has been met before any non-accessible demand-responsive vehicle may be purchased. Transit systems receiving FTA funds through a statewide grant must make this certification to the state; direct FTA recipients must certify directly to FTA. A certification is not valid for more than one year. ([*Certificate of Equal Access for Persons with Disabilities*](#))

A written plan of how a transit system responds to a call for accessible transportation under each contract and in each service area will help provide documentation of procedure. Public participation is an important part of ADA and should be part of an ADA written plan. Documentation of this participation may be beneficial if the transit system is sued.

Sanctions – Failure to comply with ADA not only results in the transit system being ineligible for federal funds, but could also subject the system to private lawsuits. The OPT needs to be notified of any lawsuit filed against a transit system. Section 5307 systems must also notify FTA.

Private Taxis and the ADA – A private taxi company owning its own vehicles and receiving no public funding is still covered by the provisions of the ADA. Taxi companies may not discriminate against person with disabilities. They may not refuse service to person with disabilities, including persons using folding wheelchairs if the person can transfer to a vehicle seat. If the taxi driver loads packages or luggage in the vehicle for other passengers, the driver is required to stow the folded wheelchair in the vehicle. A person with a disability may not be charged a higher fare than other passengers; however, if other passengers would be charged extra for stowing packages or luggage, the same fee may be applied to stowage of wheelchairs.

Private taxi companies are not required to purchase accessible vehicles if only automobiles are used. If larger vehicles such as vans or buses are purchased, taxi companies are required to purchase accessible vehicles unless they can demonstrate that equivalent service is provided to persons with disabilities when the total demand responsive service is considered. Private taxis under contract to public transit systems must meet the standards applicable to the transit system and will be viewed in conjunction with the transit system to determine whether equivalent service is available to persons with disabilities.

ADA Employment Provisions and Public Transit – Transit systems are reminded that the employment provisions of the ADA must also be met. Persons with disabilities may not be discriminated against in employment.

Each transit employer should have job descriptions in place for each position that describes the functional requirements of the position. These functional requirements should be reviewed periodically to verify that they remain valid. Transit systems are encouraged to consider recombining job responsibilities to facilitate employment of qualified persons with disabilities.

Employers, including transit systems, are required to make reasonable accommodations for other wise qualified employees with disabilities. The reasonable accommodations may include purchase of assistance equipment, changing placement of files, etc. All work stations should be accessible.

Disadvantaged Business Enterprise (DBE) Program

The overall purpose of the DBE program is to ensure nondiscrimination in the award and administration of FTA assisted contracts. The program helps remove barriers for socially and economically disadvantaged firms to have the opportunity to participate in federal contracts. All recipients of FTA funds must demonstrate a *good faith* effort to obtain participation by DBE firms in FTA assisted contracts and report contracts awarded to DBE firms. The DBE program has been in existence since 1983 for highway and transit programs. Since that time, the program has withstood legal and Congressional challenges, with some modifications. A legal challenge during the mid-1990's resulted in new DBE rules being issued in February 1999, with technical corrections issued in June 1999 and November 2000. Proposed rules for uniform certification applications and reporting forms issued in May 2001 are expected to be finalized in 2002. The DBE program is authorized under the Transportation Equity Act for the 21st Century (TEA-21); DBE program rules are found in [49 CFR Part 26](#).

The November 2000 technical correction, established that each FTA recipient who receives more than \$250,000 in contracting opportunities is required to have a DBE program and goal. Contracting opportunities include purchase orders or contracts for the purchase of goods, services, or construction projects, excluding rolling stock. Recipients are required to have a goal only for years when more than \$250,000 in contracting opportunities is expected.

<http://osdbuweb.dot.gov/business/DBE/interimfinalrule.pdf>

The Iowa DOT, as an FTA recipient, has been required to have a DBE program and FTA goal. The ONE DOT philosophy requires the Iowa DOT to only have one DBE program for all DOT programs, but separate goals for each of the administering agencies. The Iowa DOT submitted an FTA goal for FY2002 of 6.7%. Each subrecipient has been required to report contracts awarded to OPT, where the

information was compiled and submitted to FTA. OPT has requested clarification from FTA regarding the effects of the \$250,000 in contracting opportunities has on the Iowa DOT and its subrecipients.

Additional DBE information can be obtained from the U.S. DOT DBE Web Site: <http://osdbuweb.dot.gov/business/dbe/index.html> and the Procurement Best Practices Manual <http://www.fta.dot.gov/library/admin/BPPM/ch7.html>

Certification as a DBE – A firm seeking certification as a DBE must demonstrate that it meets the federal requirements. The firm must be a for-profit small business concern that:

1. is at least 51% owned (or 51% of stock owned) by one or more individuals who are *socially* and *economically* disadvantaged;
2. is managed and controlled on a daily basis by one or more individuals of the disadvantaged owners.

Members of the following groups are presumed to be socially disadvantaged: Black-Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Subcontinent Asian Americans, women, and others designated by the small business administration. Any individual who is not a member of a protected minority group may provide evidence showing social disadvantage in education or business. For example, persons with disabilities may be able to show they are socially disadvantaged on a case-by-case basis.

Individuals are considered to be economically disadvantaged if they are socially disadvantaged individuals with a personal net-worth that does not exceed \$750,000. Personal net-worth does not include the value of the primary residence or the value of the business.

The Iowa DOT's Office of Contracts coordinates the Unified Certification Process (UCP) program that only requires one certification to do business as a DBE under any FTA, FAA, or FHWA assisted contract. For additional information or assistance in helping a firm received certification as a DBE, contact: Iowa DOT, Office of Contracts, 515-239-1422, e-mail: DOT.Contracts@dot.state.ia.us

Bidders List – Agencies required to have a DBE program are required to maintain a bidders list of all vendors submitting bids on solicitation. Bidders lists are intended to be used to identify available and willing vendors for any particular type of work. The bidders list will provide the most accurate data possible about the universe of available firms for use in setting goals. Information to be obtained and maintained in a bidders list must include: name and address of firm, dollar range of annual gross receipts, age of firm, and DBE status.

DBE Directory – A directory of DBE firms certified by the Iowa DOT is published annually and updated each letting. The listing of current certified DBEs is also available on this website. <http://www.ia.bidx.com/lettings/2005dbe.pdf>

DBE Goal –A DBE goal is the anticipated percent of DBE participation that an agency will try to achieve through race neutral or race conscious efforts. The goals are set with knowledge of relative availability of DBEs. No quotas are allowed in federal

contracting. The statutes authorizing the DBE program set 10% as the national aspirational goal. However, grantees must set goals based on what will achieve a level playing field for DBEs in their own area. Individual recipients do not have to justify a goal that is less than the national goal.

The Iowa DOT sets a DBE goal each year (FFY 2004 FTA DBE goal was 0.7%). The Iowa DOT developed the goal using the ratio of available DBEs to total available contractors, and DBE experience during the past three years for highway construction projects. Annual goals must be established 60 days prior to the start of the federal fiscal year.

Goals must now also be determined what portion will be achieved with race conscious or race neutral methods.

Race conscious: (also refers to gender) Specific selection method that consciously selects firms based on DBE status, for example, through use of a contract goal, or using DBE participation in selection criteria.

Race neutral: (also includes gender neutral) – Measures are used to increase opportunities for all small businesses, not just DBEs, and do not involve contract specific goals. Measures may include outreach and technical assistance in the procurement process actively encouraging firms to obtain DBE certification, actively soliciting quotes and proposals from DBE certified firms, and by requiring contractors to actively pursue DBE firms when sub-contracting. Selection is based on competitive bid or price consideration with no specific DBE goal.

Section 5307 transit agencies work directly with the FTA regarding DBE programs. Iowa's small urban and regional transit systems are not required to have their own DBE program or individual goal, unless they receive in excess of \$250,000 in contracting opportunities. However, as sub-recipients of FTA funds, they are expected to use good faith efforts in any of their contracting with federal dollars to help achieve the statewide goal, and provide semi-annual reporting of their efforts. Any system receiving a capital grant for a construction project in excess of \$250,000 (other than rolling stock) is required to develop a contract goal or a DBE program and goal for their agency. A contract goal must be submitted to the OPT for approval.

Contract Goals: Contract goals may be used if there is a possibility for subcontracting the project. For a particular project, it is possible to determine a project goal by dividing the total number of available bidders in your local market area, by the number of available DBE vendors in your market area. If there is more than one type of industry that will be included in the project, such as heavy construction and trucking, the percentages should be computed separately for each type and weighted by the approximate amount of the contract spent on each.

$$.9 \times \frac{\text{heavy construction DBEs}}{\text{total heavy construction firms}} + .1 \times \frac{\text{\# trucking DBEs}}{\text{total trucking firms}}$$

Past experience and other regional information must also be considered after the initial percent is calculated to determine if an adjustment should be made. More details on goal setting can be obtained on the US DOT web site.

<http://osdbuweb.dot.gov/business/dbe/tips.html>

If a solicitation package contains a contract goal, a *good faith effort* must be demonstrated by bidders. The Iowa DOT's supplemental specification SS-97057a describes the DBE responsibilities for showing good faith effort for federal aided construction projects.

Rolling stock purchases: Transit agencies must receive certification from each transit vehicle manufacturer bidding on a federally assisted contract that the manufacturer has complied with DBE requirements in [49 CFR 26.49](#). Vehicle manufacturers are required to submit annual DBE goals directly to FTA. Federal funds cannot be used to purchase a vehicle from a manufacturer who has not submitted a goal to FTA. A sample certification is included in [Chapter 9](#).

DBE Report Requirements – Current rules require FTA grant recipients to submit quarterly reports for direct recipients, and states to submit semi-annual reports. Rules proposed in May 2001 would require semi-annual reporting for all grantees. Currently, reports are based on federal fiscal year, due 30 days after the end of the reporting period. See [Chapter 6](#) for a current *Report of DBE Awards and Commitments* form and a draft *Uniform Semi-annual Report of DBE Awards and Achievements* form.

All FTA-assisted purchases, with the exception of rolling stock, should be reported. This might include printing, janitorial services, computer services, supplies, construction contracts, facility remodeling, or other types of goods or supplies. Purchase orders, leases, contracts, and any type of purchase is included. DBE awards must also be separated into the minority group represented by the DBE.

The draft new uniform report proposed in May 2001, introduces new terminology and would request different information. New terminology is described below.

Contracts Awarded: This section asks for the total number of contracts awarded, and the total dollar amount. It also asks for the total number and dollar amount awarded to DBE firms. Awards should be included in both the total and the DBE columns. DBE awards are further divided into those awarded through race conscious and race neutral methods.

Payments on Contracts: This section asks for the total number of contracts where payment was made, and the total dollar amount paid. It also asks for the total number and dollar amount paid to DBE firms. DBE payments are further divided into those contracts that are race conscious or race neutral.

****This section will be updated as soon as the final rule is published.**